

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
E/S Rolling Road, 150' S of the *
c/l of Wild Cherry Road * DEPUTY ZONING COMMISSIONER
(3225-3231 Rolling Road) *
2nd Election District * OF BALTIMORE COUNTY
2nd Councilmanic District * Case No. 96-179-SPH

Board of Child Care of the
Baltimore/Washington Conference *
of the United Methodist Church - Petitioner
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 3225-3231 Rolling Road, located in the vicinity of Milford Mill Road in Rolling Park. The Petition was filed by the owner of the property, the Board of Child Care of the Baltimore Washington Conference of the United Methodist Church, Inc. by Thomas L. Curcio, Executive Director, through their attorney, Duncan Cornell, Esquire. The Petitioner seeks approval of a waiver from the Department of Public Works standards to waive the requirement for sidewalks along the stem of the proposed cul-de-sac road to serve the proposed subdivision. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Thomas Curcio, Executive Director of the Board of Child Care, property owner, Robert Rosenfelt, Professional Engineer with Colbert Matz Rosenfelt, Inc., who prepared the site plan for this project, and Duncan Cornell, Esquire, attorney for the Petitioner. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 6.03 acres, more or less, zoned D.R. 5.5 and is presently improved with a single family home and a vacant field. The property was

ORDER RECEIVED FOR FILING

Date

By

12/13/95
[Signature]

RECEIVED

the subject of prior Case Nos. II-537 and 95-480-SPHX in which the Owner/Developer was granted approval to create an eight (8) lot subdivision and special hearing/special exception relief to permit development of five (5) of those lots with residential cottages, and the existing dwelling as a community care center on September 6, 1995. The Owner/Developer now comes before me seeking approval to waive the public works standards which require sidewalks along the entrance road to this subdivision. As noted above, these cottages will not be used as single family dwellings, rather they will be used to provide housing for children who have been displaced from their homes due to an abusive environment. Many of those children have emotional and psychological problems stemming from the abusive environment in which they lived prior to moving to this institutional facility.

Mr. Curcio testified that inasmuch as the proposed cottages will be used to provide an institutional type setting for young children, the Petitioner would like to discourage a great deal of pedestrian traffic through this private community. Requiring sidewalks to be constructed out to Rolling Road might encourage pedestrian traffic from Rolling Road as well as invite the children to walk out of this community. Mr. Curcio testified that it is imperative that a certain amount of exclusivity be maintained for this facility. Therefore, they wish to waive the requirement for sidewalks along the access road to this private community.

Given the testimony offered by the individuals at the hearing, I am inclined to grant the waiver requested inasmuch as compliance with the public works standards would cause unnecessary hardship for the Petitioner and its operation. I further find that the waiver should be granted in that the Petitioner has satisfied the requirements set forth in Section 26-172 of the Baltimore County Code. However, in the event these single

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Date

By

family dwellings are ever sold to individuals as single family residences and are no longer used by the Board of Child Care as a group home facility for displaced children, the Owner/Developer shall be required to install the remaining sidewalk out to Rolling Road. At this time, however, I believe it is appropriate for the Petitioner to only construct those sidewalks in front of the proposed cottages as outlined in red on Petitioner's Exhibit 1.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of December, 1995 that the Petition for Special Hearing seeking approval of a waiver from the Department of Public Works standards to waive the requirement for sidewalks along the stem of

the proposed cul-de-sac road to serve the proposed subdivision, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order

ORDER RECEIVED FOR FILING

Date

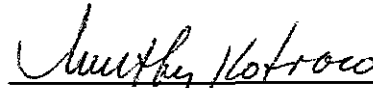
By

has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Petitioner shall be required to install sidewalks as shown on the red-lined plan marked as Petitioner's Exhibit 1.

3) In the event the Petitioner should sell any of the houses contained within this subdivision to individuals, the Developer shall be required to install the remaining portions of the sidewalk out to Rolling Road.

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO

Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

12/3/95

By

MICROFILMED



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

December 13, 1995

Duncan Cornell, Esquire
408 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
E/S Rolling Road, 150' S of the c/l of Wild Cherry Road
(3225-3231 Rolling Road)
2nd Election District - 2nd Councilmanic District
Board of Child Care of the Baltimore/Washington Conference of the
United Methodist Church - Petitioner
Case No. 96-179-SPH

Dear Mr. Cornell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Thomas L. Curcio, Exec. Dir., Methodist Board of Child Care
3300 Gaither Road, Baltimore, Md. 21244

Mr. Robert Rosenfelt, Colbert Matz Rosenfelt, Inc.
3723 Old Court Road, Suite 206, Baltimore, Md. 21208

People's Counsel

File

MICROFILMED



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

3225-3231 Rolling Road

96-179-SFH

which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A WAIVER FROM DEPARTMENT OF PUBLIC WORKS STANDARDS
TO WAIVE THE REQUIREMENT FOR SIDEWALKS ALONG THE
STEM OF THE PROPOSED CUL-DE-SAC ROAD.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Duncan Cornell, Esq.

(Type or Print Name)

Signature

408 ALLEGHENY AVE. 410-823-3010

Address

Phone No.

TOWSON

MD

21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): BOARD OF CHILD CARE OF THE
BALTIMORE-WASHINGTON CONFERENCE OF THE
UNITED METHODIST CHURCH, INC.

(Type or Print Name) THOMAS L. CURCIO, EXEC. DIR.

Signature

Thomas L. Curcio, Executive Director

(Type or Print Name)

Signature

3300 GAITHER ROAD 410-922-2100

Address Phone No.

BALTIMORE, MD 21244

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

JUDITH M. FLOAM

COLBERT MATZ ROSENFELT, INC.

Name

3723 OLD COURT ROAD #206

BALTIMORE, MD 21208

410-653-3838

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

ORDER RECEIVED FOR FILING

Date

By



Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

ZONING DESCRIPTION

BOARD OF CHILD CARE
COTTAGE DEVELOPMENT
3225-3231 ROLLING ROAD



179
96-179-SPH

6.03 ACRE PARCEL MORE OR LESS SITUATED IN THE SECOND ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT A POINT ON THE EAST SIDE OF ROLLING ROAD, 30 FEET WIDE, SAID POINT OF BEGINNING BEING DISTANT SOUTHERLY 150 FEET MORE OR LESS FROM THE CENTER LINE OF WILD CHERRY ROAD, RUNNING THENCE BINDING ON THE OUTLINES OF THE LAND CONVEYED TO BOARD OF CHILD CARE OF THE BALTIMORE/WASHINGTON CONFERENCE OF THE UNITED METHODIST CHURCH, INC. THE FOLLOWING ELEVEN (11) COURSES:

- (1) N 73° 53'10"E 406.15 FEET,
- (2) S 16° 08'27"E 90.00 FEET,
- (3) N 73° 53'10"E 115.42 FEET TO THE WEST SIDE OF MONTWOOD ROAD, 60 FEET WIDE, THENCE BINDING ON SAID WEST SIDE AND CONTINUING TO BIND ON SAID LAND,
- (4) SOUTHEASTERLY, BY A CURVE TO THE LEFT WITH THE RADIUS OF 886.13 FEET AND A LENGTH OF 9.86 FEET,
- (5) N 73° 53'10"E 60.15 FEET,
- (6) S 19° 56'51"E 437.52 FEET,
- (7) S 73° 23'36"W 461.47 FEET,
- (8) N 08° 35'50"W 282.94 FEET,
- (9) S 73° 53'10"W 233.89 FEET TO SAID EAST SIDE OF ROLLING ROAD, THENCE BINDING ON SAID EAST SIDE AND CONTINUING TO BIND ON SAID LAND (10) N 06° 18'16"W 162.37 FEET AND (11) N 05° 52'26"W 101.46 FEET TO THE PLACE OF BEGINNING.

CONTAINING 6.03 ACRES OF LAND MORE OR LESS.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-179-SPH

Date of Posting 11/19/95

District 2nd

Posted for: Special Hearing

Petitioner: Board of Child Care

Location of property: 3225-38 Talley Rd, EL

Location of Signer: Acting Secretary on property being worked

Remarks:

Posted by: [Signature]
Signature

Date of return: 11/24/95

Number of Signs: 1

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Offices Building, 111 W. Chase-Peake Avenue, in Towson, Maryland 21204 or Room 118, One Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #88-179-SPH (Item 179)

3225-3231 Rolling Road
E/S Rolling Road, 160' x 8
from rd of Wild Cherry Road
2nd Election District
2nd Councilmanic
Legal Owner(s):

Board of Child Care of the
Baltimore-Washington
Conference of the United
Methodist Church, Inc.
Hearing Thursday, December
7, 1988 at 1:00 a.m. in Rm.

118 County Office Building.
Special Hearing: To approve
a waiver from Department of
Public Works standards to
waive the requirement for
sidewalks along the sum of
the proposed cul-de-sac road.
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call 887-3353.
(2) For information concern-
ing the file and/or hearing,
Please Call 887-3381.

11/164 Nov. 16 617327

CERTIFICATE OF PUBLICATION

TOWSON, MD., Nov. 21, 1988

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on Nov. 16, 1988.

THE JEFFERSONIAN,

A. H. Ennis
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

REMITTANCE SIGN ONLY
No. 101124500 WAIVER
250.00 FEE AS
PAID FOR
WAIVER
JAN 179

DATE 10/26/95 ACCOUNT R0018150

96-179-SPH
AMOUNT \$ 35.00

RECEIVED FROM: COLBERT MATZ + ROSENBLUM INC.
PO 3225-3231 ROLLING RD.

FOR: SPH. (FEE PAID)
1 SIGN POSTING - 35.00
APPROPRIATE
BY 0018150-2-1-95

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 179

Petitioner: Board of Child Care

Location: 3223-3231 Rolling Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Mr. Tom Curcio 40 Board of Child Care

ADDRESS: 3300 Baither Rd.

Baltimore Md. 21244

PHONE NUMBER: 922-2100

AJ:ggs

(Revised 04/09/93)



TO: PUTUMENT PUBLISHING COMPANY
November 16, 1995 Issue - Jeffersonian

Please forward billing to:

Tom Curcio
Board of Child Care
3300 Gaither Road
Baltimore, MD 21244
922-2100

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-179-SPH (Item 179)
3225 - 3231 Rolling Road
E/S Rolling Road, 150'±/- S from c/l of Wild Cherry Road
2nd Election District - 2nd Councilmanic
Legal Owner: Board of Child Care of the Baltimore-Washington Conference of the United Methodist Church, Inc.

Special Hearing to approve a waiver from Department of Public Works standards to waive the requirement for sidewalks along the stem of the proposed cul-de-sac road.

HEARING: THURSDAY, DECEMBER 7, 1995 at 11:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

RECEIVED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 7, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-179-SPH (Item 179)
3225 - 3231 Rolling Road
E/S Rolling Road, 150' +/- S from c/l of Wild Cherry Road
2nd Election District - 2nd Councilmanic
Legal Owner: Board of Child Care of the Baltimore-Washington Conference of the United Methodist Church, Inc.

Special Hearing to approve a waiver from Department of Public Works standards to waive the requirement for sidewalks along the stem of the proposed cul-de-sac road.

HEARING: THURSDAY, DECEMBER 7, 1995 at 11:00 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, reading "Arnold Jablon".

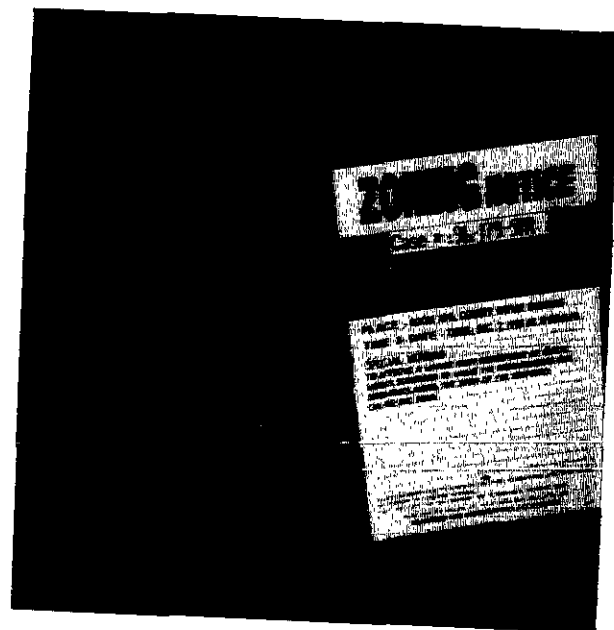
Arnold Jablon
Director

cc: Thomas L. Curcio
Judith M. Floam
Duncan Cornell, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

FILED







Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 30, 1995

Duncan Cornell, Esquire
408 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 179
Case No.: 96-179-SPH
Petitioner: Bd of Child Care
Balto. Wash. Conference
United Methodist Church

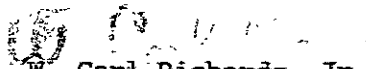
Dear Mr. Cornell:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 26, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Nov. 16, 1995
 Zoning Administration and Development Management

FROM: *[Signature]* Robert W. Bowling, P.E., Chief
 Development Plans Review Division

RE: Zoning Advisory Committee Meeting
 for November 13, 1995
 Item No. 179

The Development Plans Review Division has reviewed the subject zoning item. Per correspondence dated November 3, 1995 from this office, the Dept. of Public Works agrees to a partial waiver for sidewalks on one side only. The sidewalk to be eliminated should be the one along the storm water management reservation.

RWB:sw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: November 7, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 132, 176, 179, 180, 181, 182, and 183.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Keene

PK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

11-6-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 179 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RECEIVED

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 11/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: BOARD OF CHILD CARE OF THE BALTIMORE-WASHINGTON
CONFERENCE OF THE UNITED METHODIST CHURCH INC.
LOCATION: 93225-3231 ROLLING RD.--BOARD OF CHILD CARE COTTAGE
DEVELOPMENT, FKA ENOS PROPERTY)

Item No.: 179

Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

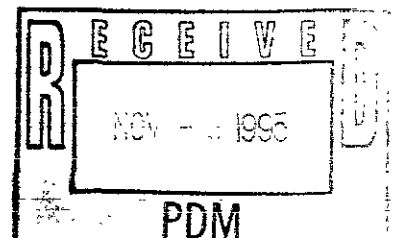
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed on Recycled Paper



BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: October 26, 1995

TO: Hearing Officer

FROM: John L. Lewis
Planner II, PDM

SUBJECT: Item #179
3225-3231 Rolling Road

Per Gwen, Don Rascoe said since waiver fee paid \$250.00 no fee for special hearing filing.

JLL:scj

RECEIVED

PETITION PROBLEMS

#175 --- JRA

1. Petition says zoning is D.R.-3.5, D.R.-5.5, and D.R.-10.5; folder says zoning is D.R.-3.5 – Which is correct?

#178 --- MJK

1. No telephone number for legal owner.

#179 --- JLL

1. No property description on folder.

#180 --- JCM

1. No zip code for legal owner.
2. Notary section is incomplete -- only one signature was notarized.

#183 --- JJS

1. No zoning indicated on petition form.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
3225, 3231 Rolling Road, E/S Rolling Rd, * ZONING COMMISSIONER
150'+/- S from c/l of Wild Cherry Road * OF BALTIMORE COUNTY
2nd Election District, 2nd Councilmanic *
Board of Child Care of the Balto.-Washington
Conference of the United Methodist Church, Inc.
Petitioners * CASE NO. 96-179-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of November, 1995, a copy of the foregoing Entry of Appearance was mailed to Duncan Cornell, Esquire, 408 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

#179

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



October 26, 1995

Mr. Arnold Jablon
Director, Permits and
Development Management
111 W. Chesapeake Avenue
Towson, Md. 21204

Re: Board of Child Care Cottage Development
Rolling Road
Job No. 94103

Dear Mr. Jablon,

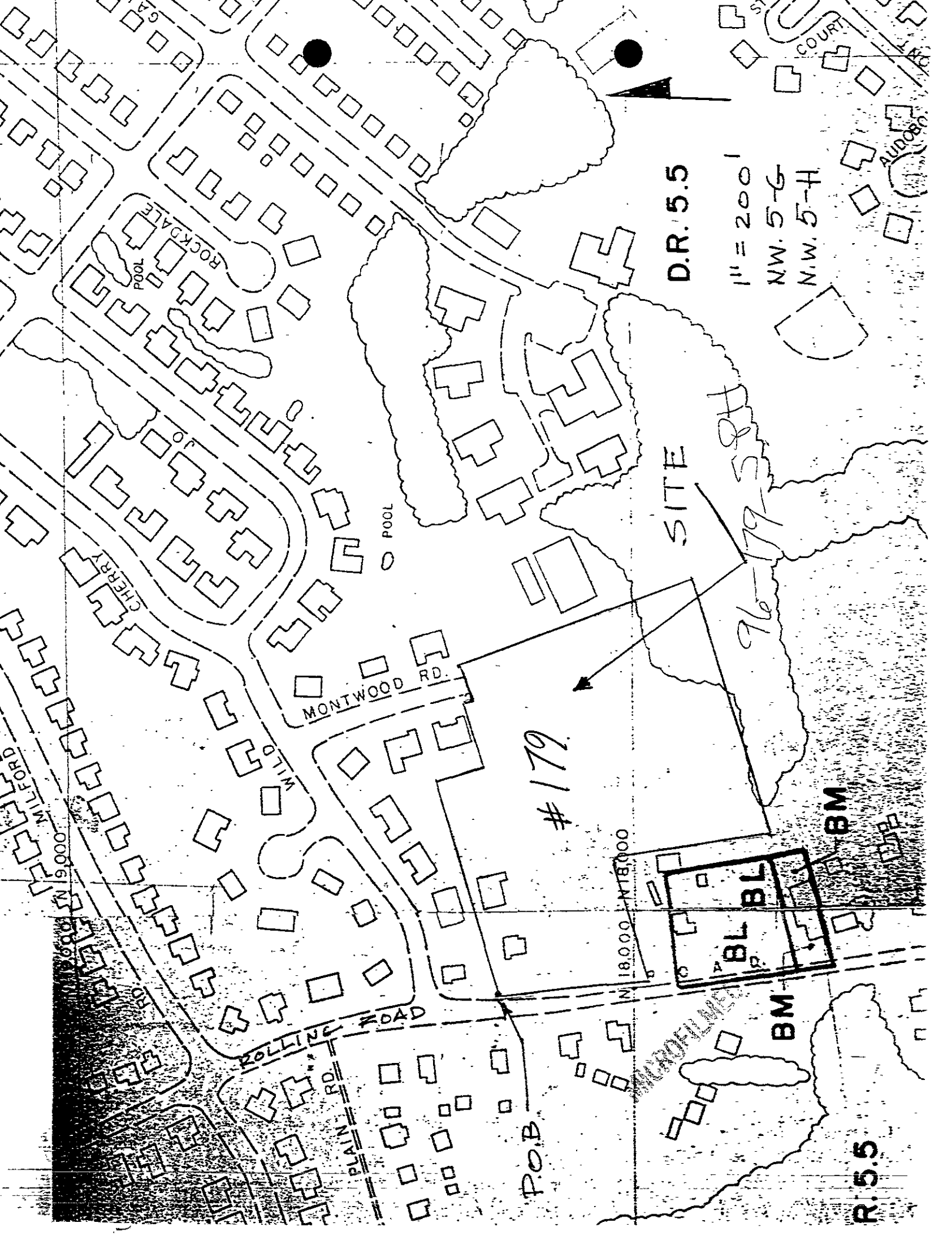
We respectfully request an early hearing for the Special Hearing on the above-referenced development. This project has an approved Development Plan and is now in Phase 2. The Special Hearing is to request a partial waiver from the requirement to build sidewalks along the interior street. An early hearing will help to expedite the submittal and review of the public works drawings.

Thank you for your consideration of this request.

Yours truly,


Judith M. Floam
COLBERT MATZ ROSENFELT, INC.

cc: Chris Rorke
Duncan Cornell, Esq.



D.R. 5.5

1" = 200'

NW. 5-G

N.W. 5-H

SITE

#179

BL BL

BM

BM

R. 5.5

18000

MONTWOOD RD.

ROLLING ROAD

PLAIN RD.

ROCKDALE

CHERRY

WILD

COURT

AUDUBON

P.O.B.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 29, 1999

Robert S. Rosenfelt, P.E.
Colbert Matz Rosenfelt, Inc.
2835 Smith Avenue, Suite G
Baltimore, MD 21209

Dear Mr. Rosenfelt:

RE: Zoning Verification, 3223 Rolling Road, Board of Child Care formerly
Enos Property, 2nd Election District

Concerning your letter of 6/21/99, I have reviewed the proposed equipment garage proposal for the above referenced location with Mr. Richards of this office. The fact that this is a building to be used for maintenance equipment storage for the adjacent Board of Child Care community care centers (approved under Case Numbers 96-179-SPH and 98-217-SPHA) means that it will require a special exception zoning hearing to support the community care center uses.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in dark ink, appearing to read "John L. Lewis".

John L. Lewis
Planner II
Zoning Review

c: Zoning Cases 96-179-SPH and 98-217-SPHA

JLL:ggs

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

IN RE: PETITION FOR SPECIAL HEARING
E/S Rolling Road, 150' S of the
c/l of Wild Cherry Road
(3225-3231 Rolling Road)
2nd Election District
2nd Councilmanic District
Board of Child Care of the
Baltimore/Washington Conference
of the United Methodist Church - Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-179-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 3225-3231 Rolling Road, located in the vicinity of Milford Mill Road in Rolling Park. The Petition was filed by the owner of the property, the Board of Child Care of the Baltimore Washington Conference of the United Methodist Church, Inc. by Thomas L. Curcio, Executive Director, through their attorney, Duncan Cornell, Esquire. The Petitioner seeks approval of a waiver from the Department of Public Works standards to waive the requirement for sidewalks along the stem of the proposed cul-de-sac road to serve the proposed subdivision. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Thomas Curcio, Executive Director of the Board of Child Care, property owner, Robert Rosenfelt, Professional Engineer with Colbert Matz Rosenfelt, Inc., who prepared the site plan for this project, and Duncan Cornell, Esquire, attorney for the Petitioner. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 6.03 acres, more or less, zoned D.R. 5.5 and is presently improved with a single family home and a vacant field. The property was

the subject of prior Case Nos. II-537 and 95-480-SPH in which the Owner/Developer was granted approval to create an eight (8) lot subdivision and special hearing/special exception relief to permit development of five (5) of those lots with residential cottages, and the existing dwelling as a community care center on September 6, 1995. The Owner/Developer now comes before me seeking approval to waive the public works standards which require sidewalks along the entrance road to this subdivision. As noted above, these cottages will not be used as single family dwellings, rather they will be used to provide housing for children who have been displaced from their homes due to an abusive environment. Many of those children have emotional and psychological problems stemming from the abusive environment in which they lived prior to moving to this institutional facility.

Mr. Curcio testified that inasmuch as the proposed cottages will be used to provide an institutional type setting for young children, the Petitioner would like to discourage a great deal of pedestrian traffic through this private community. Requiring sidewalks to be constructed out to Rolling Road might encourage pedestrian traffic from Rolling Road as well as invite the children to walk out of this community. Mr. Curcio testified that it is imperative that a certain amount of exclusivity be maintained for this facility. Therefore, they wish to waive the requirement for sidewalks along the access road to this private community.

Given the testimony offered by the individuals at the hearing, I am inclined to grant the waiver requested inasmuch as compliance with the public works standards would cause unnecessary hardship for the Petitioner and its operation. I further find that the waiver should be granted in that the Petitioner has satisfied the requirements set forth in Section 26-172 of the Baltimore County Code. However, in the event these single

family dwellings are ever sold to individuals as single family residences and are no longer used by the Board of Child Care as a group home facility for displaced children, the Owner/Developer shall be required to install the remaining sidewalk out to Rolling Road. At this time, however, I believe it is appropriate for the Petitioner to only construct those sidewalks in front of the proposed cottages as outlined in red on Petitioner's Exhibit 1.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of December, 1995 that the Petition for Special Hearing seeking approval of a waiver from the Department of Public Works standards to waive the requirement for sidewalks along the stem of the proposed cul-de-sac road to serve the proposed subdivision, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order

has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Petitioner shall be required to install sidewalks as shown on the red-lined plan marked as Petitioner's Exhibit 1.

3) In the event the Petitioner should sell any of the houses contained within this subdivision to individuals, the Developer shall be required to install the remaining portions of the sidewalk out to Rolling Road.

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotronco
TIMOTHY M. KOTRONCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 12/13/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/13/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/13/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/13/95
By [Signature]

- 2 -

- 3 -



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

December 13, 1995

Duncan Cornell, Esquire
408 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
E/S Rolling Road, 150' S of the c/l of Wild Cherry Road
(3225-3231 Rolling Road)
2nd Election District - 2nd Councilmanic District
Board of Child Care of the Baltimore/Washington Conference of the
United Methodist Church - Petitioner
Case No. 96-179-SPH

Dear Mr. Cornell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotronco

TIMOTHY M. KOTRONCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Thomas L. Curcio, Exec. Dir., Methodist Board of Child Care
3300 Gaither Road, Baltimore, Md. 21244

Mr. Robert Rosenfelt, Colbert Matz Rosenfelt, Inc.
3723 Old Court Road, Suite 206, Baltimore, Md. 21208

People's Counsel

File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3225-3231 Rolling Road
96-179-SPH which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 2607 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A WAIVER FROM DEPARTMENT OF PUBLIC WORKS STANDARDS
TO WAIVE THE REQUIREMENT FOR SIDEWALKS ALONG THE
STEM OF THE PROPOSED CUL-DE-SAC ROAD.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County,

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Duncan Cornell, Esq.

(Type or Print Name)

Signature

408 ALLEGHENY AVE. 410-823-3010

Address

Phone No.

City

State

Zipcode

Use an attorney to declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): BOARD OF CHILD CARE OF THE
BALTIMORE-WASHINGTON CONFERENCE OF THE
UNITED METHODIST CHURCH, INC.
(Type or Print Name)

THOMAS L. CURCIO, EXEC. DIR.

Signature

Thomas L. Curcio, Executive Director

(Type or Print Name)

Signature

3300 GAITHER ROAD 410-922-2100

Address

BALTIMORE, MD 21244

City

State

Zipcode

Name, Address and phone number of representative to be contacted:

JUDITH M. FLOAM

COLBERT MATZ ROSENFELT, INC.

3723 OLD COURT ROAD #206

BALTIMORE, MD 21208 410-653-3838

Address

Phone No.

City

State

Zipcode

ESTIMATED LENGTH OF HEARING

Available for Hearing

The following date

Next Time Meeting

ALL OTHER

REVIEWED BY: DATE

ORDER RECEIVED FOR FILING
Date 12/13/95
By [Signature]

Colbert Matz Rosenfelt, Inc. 179
Civil Engineers • Surveyors • Planners

ZONING DESCRIPTION
BOARD OF CHILD CARE
COTTAGE DEVELOPMENT
3225-3231 ROLLING ROAD 96-179-SPH

6.03 ACRE PARCEL MORE OR LESS SITUATED IN THE SECOND ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT A POINT ON THE EAST SIDE OF ROLLING ROAD, 30 FEET WIDE, SAID POINT OF BEGINNING BEING DISTANT SOUTHERLY 150 FEET MORE OR LESS FROM THE CENTER LINE OF WILD CHERRY ROAD, RUNNING THENCE BINDING ON THE OUTLINES OF THE LAND CONVEYED TO BOARD OF CHILD CARE OF THE BALTIMORE/WASHINGTON CONFERENCE OF THE UNITED METHODIST CHURCH, INC. THE FOLLOWING ELEVEN (11) COURSES:

- (1) N 73° 53'10"E 406.15 FEET,
- (2) S 16° 08'27"E 90.00 FEET,
- (3) N 73° 53'10"E 115.42 FEET TO THE WEST SIDE OF MONTWOOD ROAD, 60 FEET WIDE, THENCE BINDING ON SAID WEST SIDE AND CONTINUING TO BIND ON SAID LAND,
- (4) SOUTHEASTERLY, BY A CURVE TO THE LEFT WITH THE RADIUS OF 886.13 FEET AND A LENGTH OF 9.86 FEET,
- (5) N 73° 53'10"E 60.15 FEET,
- (6) S 19° 56'51"E 437.52 FEET,
- (7) S 73° 23'36"W 461.47 FEET,
- (8) N 08° 35'50"W 282.94 FEET,
- (9) S 73° 53'10"W 233.69 FEET TO SAID EAST SIDE OF ROLLING ROAD, THENCE BINDING ON SAID EAST SIDE AND CONTINUING TO BIND ON SAID LAND (10) N 06° 18'16"W 162.37 FEET AND (11) N 05° 52'26"W 101.46 FEET TO THE PLACE OF BEGINNING.

CONTAINING 6.03 ACRES OF LAND MORE OR LESS.

J:\COLBERT\DESCRIPTION\94103.DES P6

3723 Old Court Road, Suite 206 Baltimore, Maryland 21208
Telephone: (410) 653-3838 / Facsimile: (410) 653-7953

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 179
Posted for: Special Hearing
Petitioner: Board of Child Care
Location of property: 3225-3231 Rolling Rd., E/S
Location of Signs: Rolling Road, 2nd Election District, 2nd Councilmanic District
Remarks:
Posted by: [Signature]
Number of Signs: 1
Date of Posting: 11/19/95
Date of return: 11/24/95

CERTIFICATE OF PUBLICATION

TOWSON, MD., Nov. 21, 1995

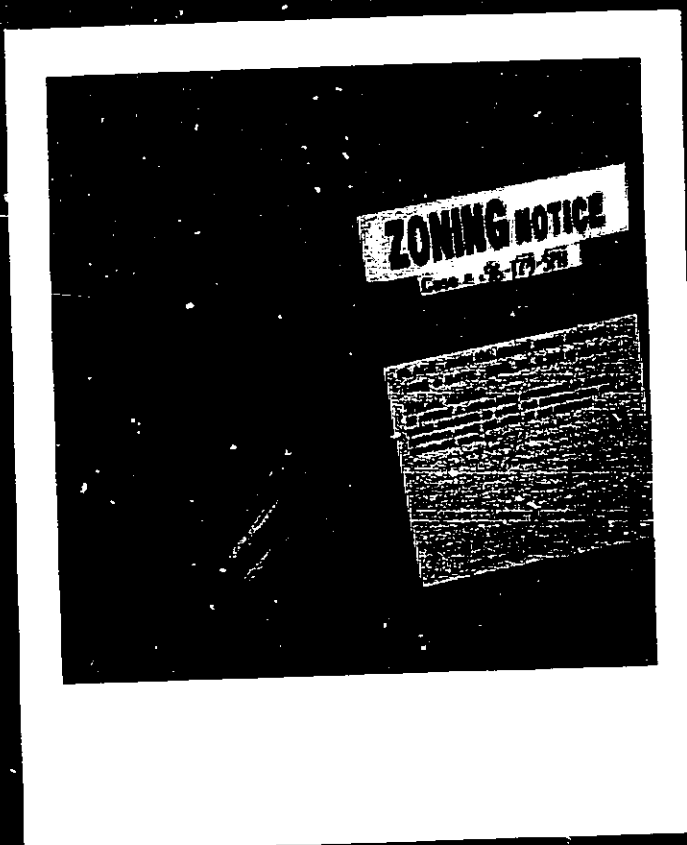
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 16, 1995.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Law and Regulations of Baltimore County, will hold a public hearing on the proposed Special Hearing on the Board of Child Care of the Baltimore/Washington Conference of the United Methodist Church, Inc. at 3225-3231 Rolling Road, 2nd Election District, 2nd Councilmanic District, Baltimore County, Maryland, on December 13, 1995, at 10:00 A.M. The purpose of the hearing is to determine whether or not the Zoning Commissioner should approve a waiver from the Department of Public Works standards to waive the requirement for sidewalks along the stem of the proposed cul-de-sac road to serve the proposed subdivision. The hearing will be held at the County Administration Center, 400 Washington Avenue, Towson, Maryland 21204. The hearing is open to the public. Any person desiring to appear at the hearing should contact the Zoning Administration and Development Management Office at 887-3391 for further information.



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 11/26/95 ACCOUNT: R0016150
96-179-SPH AMOUNT: \$ 35.00

RECEIVED: COLBERT MARZAR AUSMART INC.
FROM: 3225-3231 ROLLING RD.

FOR: SPH (FEE PAID)
SIGN POSTING 35.00

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Government
Office of Zoning Administration and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon, DIRECTOR

For newspaper advertising:
Item No.: 179
Petitioner: Board of Child Care
Location: 3223-3231 Rolling Road
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Mr. Tom Curcio 40 Board of Child Care
ADDRESS: 3300 Gaither Rd.
Baltimore Md. 21244
PHONE NUMBER: 922-2100

AJ:ggg (Revised 04/09/93)

TO: POTENTIAL PUBLISHING COMPANY
November 16, 1995 Issue - Jeffersonian

Please forward billing to:
Tom Curcio
Board of Child Care
3300 Gaither Road
Baltimore, MD 21244
922-2100

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-179-SPH (Item 179)
3225 - 3231 Rolling Road
E/S Rolling Road, 150' +/- S from c/l of Wild Cherry Road
2nd Election District - 2nd Councilmanic
Legal Owner: Board of Child Care of the Baltimore-Washington Conference of the United Methodist Church, Inc.

Special Hearing to approve a waiver from Department of Public Works standards to waive the requirement for sidewalks along the stem of the proposed cul-de-sac road.

HEARING: THURSDAY, DECEMBER 7, 1995 at 11:00 a.m. in Room 106, County Office Building.

LARSENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County
Department of Permits and Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 7, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-179-SPH (Item 179)
3225 - 3231 Rolling Road
E/S Rolling Road, 150' +/- S from c/l of Wild Cherry Road
2nd Election District - 2nd Councilmanic
Legal Owner: Board of Child Care of the Baltimore-Washington Conference of the United Methodist Church, Inc.

Special Hearing to approve a waiver from Department of Public Works standards to waive the requirement for sidewalks along the stem of the proposed cul-de-sac road.

HEARING: THURSDAY, DECEMBER 7, 1995 at 11:00 a.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Thomas L. Curcio
Judith M. Flom
Duncan Cornell, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County
Department of Permits and Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 30, 1995

Duncan Cornell, Esquire
408 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 179
Case No.: 96-179-SPH
Petitioner: Bd of Child Care
Balto. Wash. Conference
United Methodist Church

Dear Mr. Cornell:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 26, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for November 13, 1995
Item No. 179

DATE: Nov. 16, 1995

The Development Plans Review Division has reviewed the subject zoning item. Per correspondence dated November 3, 1995 from this office, the Dept. of Public Works agrees to a partial waiver for sidewalks on one side only. The sidewalk to be eliminated should be the one along the storm water management reservation.

RWB:aw

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

DATE: November 7, 1995

The Office of Planning has no comments on the following petition(s):
Item Nos. 132, 176, 179, 180, 181, 182, and 183.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long
Division Chief: Cheryl L. Lewis

PK/JL

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 179 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

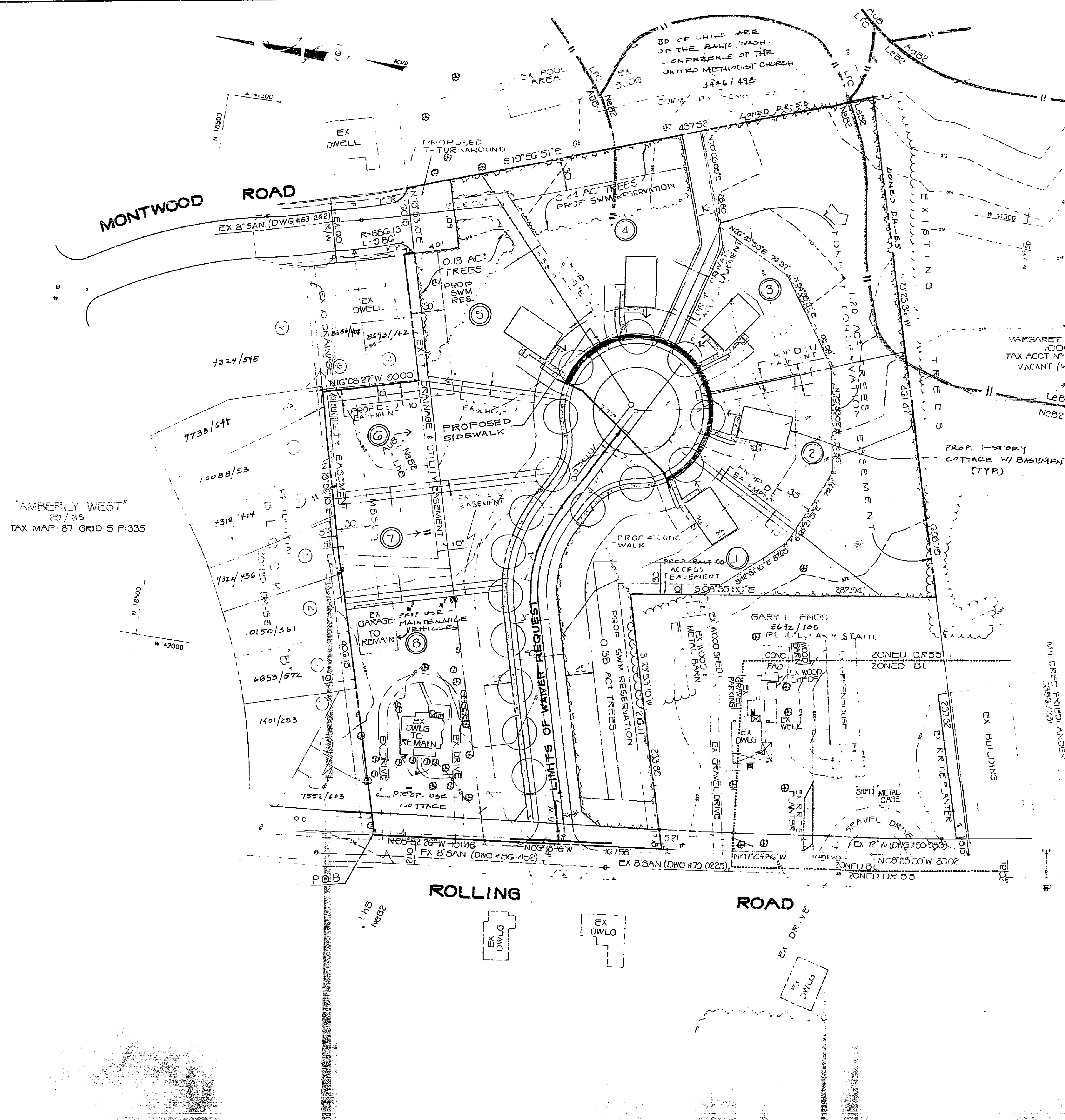
Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



WHEREFORE, IT IS ORDERED by the Deputy Survey Commissioner and Hearing Officer for Baltimore County this 14th day of September, 1995 that the Development plan for the Board of Child Care of the Baltimore/Washington Conference of the United Methodist Church, Inc. (Encs Property identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

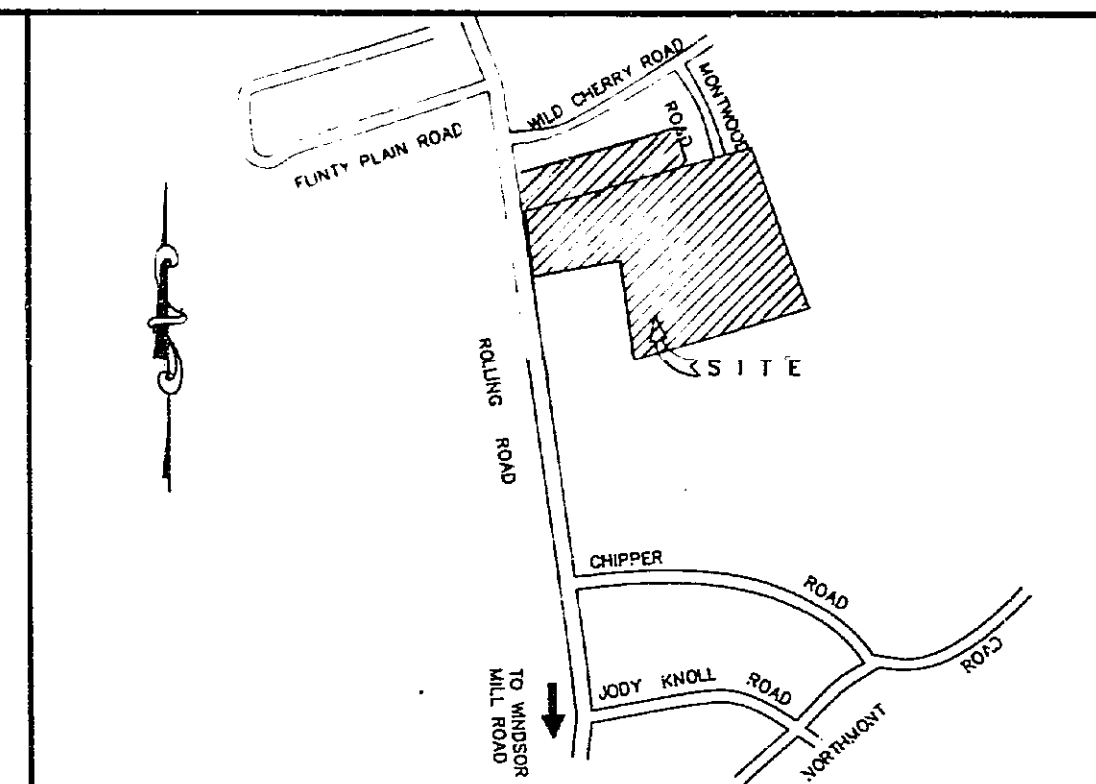
IT IS FURTHER ORDERED that the Petition for Special Exception seeking approval of the use of the subject property for a community care center, pursuant to Section 1301.C.6.a of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their Building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Developer shall be required to install a T-turnaround on its property at the end of Montwood Road so that emergency vehicles can more easily turn around to the event it becomes necessary to do so. This T-turnaround shall be installed at the Developer's expense. In the event this T-turnaround should infringe upon the forest conservation requirements for this development, then a waiver of same is hereby granted with no penalty to the Owner/Developer.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Special Hearing seeking approval that the use of the subject property meets the definition of "family" as defined in Section 101 of the B.C.Z.R., be and is hereby DISMISSED AS MOOT.

Any appeal of this decision must be taken in accordance with Section 26-109 of the Baltimore County Code.

Timothy A. Portocarr
TIMOTHY A. PORTOCARR
Hearing Officer
for Baltimore County



- GENERAL NOTES**
1. Owner/Applicant: Board of Child Care of the Baltimore/Washington Conference of the United Methodist Church, Inc. 3300 Gaither Road Baltimore, Md. 21244-2999 (410) 922-2100
 2. Tax Map: Map 67/Grd 5 Parcel 284: Tax Account No. 0218100070 Deed Ref. 8692/105 Parcel 336: Tax Account No. 0205610100 Deed Ref. 10887/401 Parcel 335: Tax Account No. 0201500041 Deed Ref. 8528/555
 3. Site Size: 6.03 Ac.
Zoned D.R.-5.5
Watershed: 26
Subwatershed: 63
Census Tract: 4023.03
 4. Existing Use: Single Family Home and Vacant Field
Proposed Use: 6 Residential Cottages (Lots 1-5 and Lot 8)
No development proposed for Lots 6 & 7 at this time.
 5. I, Tom Curcio, certify under oath that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.
 6. To the best of our knowledge, there are no streams, wetlands, 100-year floodplains, historical or archeological sites or structure or hazardous materials on this site.
 7. Local Open Space Required: 8 Lots @ 650 SF/Lot = 5,200 SF
Waiver of Local Open Space will be requested.
 8. Road 'A' will be a public street. Access easement to adjoining property is for maintenance vehicles and will be dedicated to Board of Child Care.
 9. Required Parking: 16 Spaces @ 2 Spaces/Unit
Proposed Parking: 16 Spaces
 10. ADPS: 8 single-family units @ 10 ADT/unit = 80 ADT
 11. Required Landscaping: 1 P.U./20 L.F. of Interior Road
430 L.F. Interior Road = 22 Planting Units
Proposed Landscaping: 16 Street Trees = 16 P.U.
Credit will be requested for afforestation along Road 'A' in lieu of remaining planting units.
Turnaround island proposed to be used as an open play area.
 12. No signs are proposed for this development.
 13. A partial waiver of sidewalks is being requested along Road 'A'. This request was considered by the Development Review Committee on 10/23/95 and referred for a Special Hearing.

PETITIONER'S EXHIBIT NO. 1

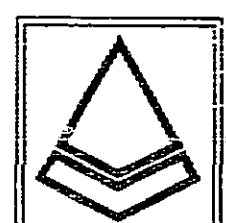
PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING
BOARD OF CHILD CARE COTTAGE DEVELOPMENT
ELECTION DISTRICT 2C2 BALTIMORE COUNTY, MD
SCALE 1" = 50' 10/25/95

REDLINE PLAN 12/7/95

1/A D.M. FILE NO. 11-537

Colbert Matz Rosenfelt, Inc.
Engineers • Surveyors • Planners

3723 Old Court Road, Suite 206
Baltimore, Maryland 21208
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



DATE	BY	DATE	BY	DATE	BY	DATE	BY
DESIGNED BY	SK	CHECKED BY	M.E.K.	DATE	02/95	SCALE	1" = 50'
DRAWN BY	SK	DATE	02/95	SHEET	1		
FILE NO.	94-0300N	JOB NO.	94-03				